

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
v.)
)
SHAUN T. SULLIVAN,)
)
Defendant.)

No. 3:24-CR-14-KAC-DCP

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or recommendation as appropriate. This case is before the Court on Defendant Shaun T. Sullivan's Unopposed Motion to Continue Motion Deadline, Plea Deadline and Trial Date [Doc. 13], filed on April 2, 2024.

Defendant Sullivan asks the Court to continue the trial date and all associated deadlines for at least ninety days. In support of his motion, Defendant states that defense counsel needs additional time to research and investigate the case, determine whether any pretrial motions are necessary, review the sentencing guidelines with Defendant, and explore potential resolutions short of trial. Defendant notes that he made his initial appearance on March 6, 2024, and that initial discovery was provided shortly thereafter, which includes numerous items of multimedia that must be reviewed in person with Defendant. The motion relates that Defendant Sullivan understands that the period of time between the filing of this motion and a rescheduled court date will be fully excludable time for speedy trial purposes. Finally, Defendant's motion reflects that counsel for the Government does not oppose the continuance.

Based upon the information in Defendant's motion and because the Government does not oppose the continuance, the Court finds the ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). In making this determination, the Court has considered the factors set forth in 18 U.S.C. § 3161(h)(7)(B). Specifically, the Court concludes that failing to grant a continuance would both result in a miscarriage of justice and deny counsel for Defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See id.* § 3161(h)(7)(B)(i)–(iv). Defense counsel needs more time to review, discuss, and evaluate discovery with Defendant, determine if any pretrial motions are appropriate, and otherwise prepare for trial. The Court finds that all of this cannot occur before the May 14, 2024 trial date.

The Court therefore **GRANTS** Defendant Sullivan's Unopposed Motion to Continue Motion Deadline, Plea Deadline and Trial Date [**Doc. 13**]. The trial of this case is reset to **August 20, 2024**. A new, comprehensive trial schedule is included below. Because the Court has found that the ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial, all of the time between the filing of the motion on April 2, 2024, and the new trial date is fully excludable time under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(1)(D), (h)(7)(A)–(B).

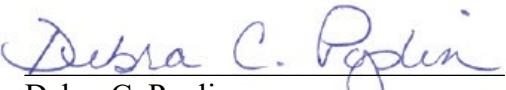
Accordingly, it is **ORDERED** as follows:

- (1) Defendant Sullivan's Unopposed Motion to Continue Motion Deadline, Plea Deadline and Trial Date [**Doc. 13**] is **GRANTED**;
- (2) the trial of this matter is reset to commence on **August 20, 2024, at 9:00 a.m.**, before the Honorable Katherine A. Crytzer, United States District Judge;
- (3) all time between the filing of the motion on **April 2, 2024**, and the new trial date of **August 20, 2024**, is fully excludable time under the Speedy Trial Act for the reasons set forth herein;

- (4) the deadline for filing pretrial motions is extended to **May 3, 2024**, and responses to motions are due on or before **May 17, 2024**.
- (5) the deadline for filing a plea agreement in the record and providing reciprocal discovery is **July 19, 2024**;
- (6) the deadline for filing motions *in limine* is **August 5, 2024**;
- (7) the parties are to appear before the undersigned for a final pretrial conference on **August 6, 2024, at 10:00 a.m.**; and
- (8) requests for special jury instructions with appropriate citations to authority pursuant to Local Rule 7.4 shall be filed on or before **August 9, 2024**.

IT IS SO ORDERED.

ENTER:



Debra C. Poplin
United States Magistrate Judge